KOLAR DISTRICT.

Notification No. A5. C. 1971—1930-31, dated 26th March 1931.

FOR THE SALE OF THE RIGHT OF COLLECTING TOLLS AT PROVINCIAL TOLL-GATES.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1931-32, will be sold by public auction at the places and on the dates specified against each gate.

2. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A as earnest money. The deposits of all the bidders except the first two or three, whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A who reserves the final power of refusing or accepting without assigning any reason whatever the highest or any bid that may be offered.

4. The successful tenderer shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner he shall be deemed to have agreed to submit himself to the jurisdiction or the Civil Courts in Mysore and to be bound by any decree, *exparte* or otherwise that may be passed against him by such Courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-lease, without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in 12 equal monthly instalments in advance on the 1st day of every month into the Taluk Office. The contractor shall also pay along with the instalments, the authorised Local, Railway and Educational Cesses, if any, at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll in accordance with standing rules and orders approved by Government shall be kept at the credit of the contractor and adjusted towards the last instalment or instalments, as the case may be.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till date of payment.

9. The amount due from the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of Land Revenue Regulation and the rules thereunder.

10. The contractor shall collect tolls only at the rates and the gates on the traffic specified in Schedules A and B.

11 The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

12. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Deputy Commissioner, the Sub-Division Assistant Commissioner and the Amildar. He shall, if required by the Deputy Commissioner, furnish to the Taluk Office, at the end of every month a true return for the month showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair, failing which, the cost of repair will be recovered from the contractor.

14 The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and he shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th, November 1876, as revised from time to time. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

17. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 per each infringement. If the fine be not paid or in the event of instalments or other sums due not being paid within the prescribed date, it shall be competent to the Deputy Commissioner, to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The resale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

Note.—Sub-Division Assistant Commissioners are also empowered to punish the contractor or his servants for any breach of the above conditions or rules either by the levy of fine or by a forfeiture of the deposit. But the power to suspend the collection of toll as well as the right to order its resale, shall be reserved to the Deputy Commissioner.